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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,842	01/24/2001	Toshiyuki Waida	1081:1104/DSG	3353
21171	7590	10/06/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			KARMIS, STEFANOS	
			ART UNIT	PAPER NUMBER
			3691	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/767,842	Applicant(s) WAIDA ET AL.	
	Examiner Stefano Karmis	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-6 and 9-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 and 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This office action is in response to Applicant's amendment filed 28 July 2006.

Status of Claims

2. Claims 1, 4, 5, 6, 9, 10 and 15 are currently amended. Claims 11-14 are previously presented. Claims 2, 3, 7 and 8 are cancelled. Therefore claims 1, 4-6 and 9-15.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 4-6 and 9-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1, 4, 6, 9 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Morita et al. (hereinafter Morita) U.S. Patent 6,885,769 in further view of Deaton et al. (hereinafter Deaton) U.S. Patent 6,351,735.

Regarding independent claims 1, 6 and 15, Morita teaches a payment form discrimination method for discriminating a payment form which states at least a payee account number and a payment amount, comprising: acquiring an image of the form by reading the form (column 5, lines 12-16); searching for the payee account number in the image in accordance with an account number searching rule (column 6, lines 22-49, column 9, lines 10-25 and Figure 3B); and discriminating the type of form based on the searched payee account number (column 11, lines 61-67 and column 13, lines 18-43); wherein said searching comprises: recognizing said payee account number in accordance with said account number searching rule in a searching table which registers recognition categories and regularities regarding a character string from the acquired image (column 16, line 53 thru column 17, line 11); and judging whether or not said recognized payee account number is matched with the registered account number in an account master table (column 16, line 53 thru column 17, line 11); and wherein said discrimination comprises discriminating the type of form by referring to a document information table that stores the account number and its type of the form by said judged payee account number (column 16, line 53 thru column 17, line 11).

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Morita fails to teach that the searching for payee account number when it is in an unknown position on the form. Deaton teaches automatic check reading techniques that uses character recognition and the technique differs from standard techniques because in that it has the ability to detect an account number regardless of the location of the customer account number in a MICR code (column 12, lines 5-40 and column 24, line 63 thru column 25, line 6). Deaton teaches searching for the account number in an unknown position since it is not known where in the MICR code the account number is and it differs depending on banks and branches (column 12, lines 5-40). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Morita and include the teachings of Deaton because it provides a system for handling image reading when processing business transactions. Morita teaches that image reading includes checks (column 1, lines 10-17) and deals with various formats (column 11, lines 61-67). Morita also teaches character recognition teachings to read account numbers, including account numbers in number strings (column 20, lines 21-60). Therefore, there is sufficient motivation to combine the teachings of Morita and Deaton.

Claims 4 and 9, Morita teaches recognizing a plurality of account numbers on the payment form; and merging a plurality of results, which have recognized to determine the payee account number (column 10, lines 35 thru column 11, line 17, column 20, lines 22-61 and Figure 13).

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8. Claims 5, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita et al. (hereinafter Morita) U.S. Patent 6,885,769 in further view of Deaton et al. (hereinafter Deaton) U.S. Patent 6,351,735 in further view of Burfield U.S. Patent 6,363,362.

Regarding claims 5, 10, 11 and 13, Morita in view of Deaton teaches character recognition when reading an account number (column 6, lines 33-49). Morita in view of Deaton fails to teach recognizing a hyphen when reading the images. Burfield teaches an electronic account method which considers hyphens when reading an account number (column 17, lines 1-10). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Morita in view of Deaton to include the hyphen recognition teaches of Burfield because it allows the character recognition teaching of Morita and Deaton to read account numbers accurately, since account numbers are often hyphenated.

9. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita et al. (hereinafter Morita) U.S. Patent 6,885,769 in further view of Deaton et al. (hereinafter Deaton) U.S. Patent 6,351,735 in further view of Geisel et al. U.S. Publication 2002/0073060.

Regarding claims 12 and 14, Morita in view of Deaton teaches character recognition when reading an account number (column 6, lines 33-49). Morita in view of Deaton fails to specify merging a result from a rejected number of a plurality of character recognition results and a number of recognition characters. Geisel teaches a computer implemented method for item processing that provides confidence-based matching of unreadable characters during

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character recognition in an attempt to determine the proper character (page 3, paragraph 0036).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the

Applicant's invention to modify the teachings of Morita in view of Deaton and include merging

results from a reject number of plurality of said character recognition and recognition characters

because it allows for accurately reading account numbers even when there could be a minor or

obvious exception in the account number.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

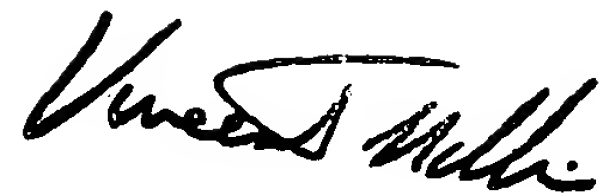
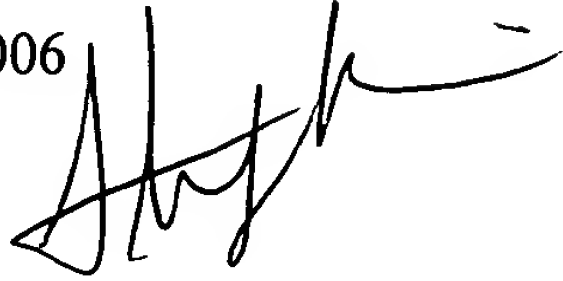
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Respectfully Submitted
Stefano Karmis
19 September 2006



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SUPERVISORY PATENT EXAMINER
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